



Docket No.: 31894-202099  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Zemel et al.

Art Unit: 1616

Application No: 10/827,301

Examiner: E. J. Webman

Confirmation No: 2573  
2573

Filed: April 20, 2004

Atty. Docket No: 31894-202099

For: MATERIALS AND METHODS OF  
REGULATING BODY WEIGHT IN  
NONHUMANANIMALS

Customer No:



**26694**

PATENT TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee

(37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 22-0261 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31894-202099. A duplicate copy of this paper is enclosed.

Dated: October 16, 2006

Respectfully submitted,

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PTO/SB/08A/B (09-06)

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/827,301-Conf. #2573
				Filing Date	April 20, 2004
				First Named Inventor	Michael B. Zemel
				Art Unit	1616
				Examiner Name	E. J. Webman
Sheet	1	of	1	Attorney Docket Number	31894-202099

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Laine Tabbita, "The Milk Campaign (agcommcase.ifas.ufl.edu/mustache.html) Report to Congress on the National Dairy Promotion and Research program and the National Fluid Milk Processor Promotion program," July 1, 1998	
		Jones Sports Mustache for Milk, Las Vegas Review Journal, 1999 (Dialog: File 397:00150522)	
		U.S. Government questions effectiveness of Milk Advertising, Dairy Farmer 1999 (Dialog file 112:01171968)	
		Jenny Hope, "Crash Diets do work single-food regimes knock off the pounds faster than conventional calorie cutting," Daily Mail, 1998, file 781:04337869	
		<a href="http://dietary-supplements.info.nih.gov/factsheets/calcium.asp">http://dietary-supplements.info.nih.gov/factsheets/calcium.asp</a> , posted 7/12/04, updated 9/23/05, table 2	
		Eisenstein et al, Obesity and Long-Term Clinical and Economic Outcomes in Coronary Artery Disease Patients, Obesity Research 10:82-91 (2002), from <a href="http://www.obesityresearch.org/cgi/content/abstract/10/2/82">http://www.obesityresearch.org/cgi/content/abstract/10/2/82</a>	

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Examiner Signature		Date Considered	
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